IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.1402 of 2007
DATE OF ORDER: 20.3.2007

New Akal Land & Finance Private Ltd

...Petitioner(s)

Versus

State Transport Appellate Tribunal, Punjab & Others

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. V.K. Jain, Sr. Advocate with
Mr. P.S. Bawa, Advocate.

M.M. AGGARWAL,J

This is petition against order dated 1.11.2006 passed by State Transport Appellate Tribunal, Punjab, Chandigarh whereby request of the petitioner for recalling order dated 23.11.2005 withdrawing the appeal was declined. By that request, it had been prayed that the appeal be restored.

After hearing counsel for the petitioner and going through the documents placed on file, I find that Karan Kumar was representing the petitioner Company as Manager. He had withdrawn the appeal pending before State Transport Appellate Tribunal, Punjab, Chandigarh and then order dated 23.11.2005 dismissing the appeal was filed. Thereafter an application was made by the Company through Karan Kumar that there was some communication gap in between Karan Kumar and Managing Director of the Company and appeal could not have been withdrawn and therefore the order dismissing the appeal as withdrawn be set aside and the petition be restored.

It is clear that Karan Kumar was representing the petitioner company. If there was any communication gap in between Karan Kumar and Managing Director that does not mean that the appeal dismissed as withdrawn will have to be restored.

No merit. Dismissed.

March 20, 2007 (M.M. AGGARWAL)
manoj JUDGE